

REMARKS

Applicants respectfully request reconsideration of the rejections set forth in the Office Action mailed on November 6, 2003. All claims have been rejected. Claims 49-57, 60, 61, and 63-66 are now pending.

Claim amendments were made to better define one embodiment of the invention, notwithstanding the Applicants' belief that the unamended claims would have been allowable, without acquiescing to any of the Examiner's arguments, and without waiving the right to prosecute the unamended (or similar) claims in another application, for the purpose of furthering Applicants' business goals and expediting the patent application process in a manner consistent with the PTO's Patent Business Goals. None of the amendments to the claims is related to the statutory requirements of patentability unless expressly stated so herein.

The comments in the Office action are now addressed in turn.

Information Disclosure Statement

Applicants acknowledge the request from the Office for Applicants to provide copies of the signed form 1449 for the information disclosure statements filed 22 March 2001 and 21 January 2003. Copies of these documents are enclosed herewith.

Rejections under 35 U.S.C. §112

Claim 66 has been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and claim the invention. Applicants thank the Examiner for the suggestions as how to clarify the claim and have amended it accordingly. Applicants request that the rejection be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 49-57, 60, 61, and 63-65 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Biodx, Weaver et. al., Pauwels, and Weinstein or Biodx, Singhvi, Pauwels, and Weinstein and further in view of Sundblad. Claims 49 and 66 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Biodx, Weaver, Pauwels, and Weinstein or Biodx,

Singhvi, Pauwels, and Weinstein further in view of Sundbland and further in view of Rojanasakul. These rejections are respectfully traversed as applied to the amended claims.

More specifically, the Office maintains that the instant claims do not require the limitations argued previously by the Applicants and instead read on individual analysis of pluralities of features of pluralities of cell lines. Although Applicants disagree, Applicants have amended the claims herein to make more explicit that the analysis is performed on multiple cell lines and, more specifically, on combinations of cell lines.

Accordingly, Applicants believe that cited art, either alone or in combination, neither teaches nor reasonably suggests the invention as claimed herein. Applicants respectfully request that the rejections be withdrawn.

Conclusion

Applicants respectfully maintain that all pending claims are in condition for allowance. Therefore, Applicants respectfully request a Notice of Allowance for this Application from the Examiner. Should any unresolved issues remain, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Please grant any extensions of time required to enter this reply, and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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